

Planning Commission Staff Report: Level 2 Site Plan STP2009-00008, Avalon Bay Twinbrook Station

MEETING DATE: October 14, 2015

REPORT DATE: October 7, 2015

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APPLICATION A proposal to construct a 55 foot **DESCRIPTION**: high, 238 unit apartment building

located at 12720 Twinbrook Parkway. The property is located in the MXB

(Mixed-Use Business) Zone.

APPLICANT: Avalon Bay Communities, Inc.

2900 Eisenhower Ave.

Suite 300

Alexandria, Virginia 22314-5223

FILING DATE: June 26, 2009

RECOMMENDATION: Staff recommends approval of Site Plan STP2009-00008, subject to the findings and

conditions outlined within this staff report.



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RECOMMENDATION

Approval of the proposed level 2 Site Plan to construct a 238-unit apartment building, subject to the findings and conditions outlined within this staff report.

SITE DESCRIPTION

The site is located on Ardennes Avenue between Halpine Road and Twinbrook Parkway at 12720 Twinbrook Parkway (Attachment 1-1). The property is zoned MXB (Mixed-Use Business) (Attachment 3-1) and is located in Planning Area 8 (Twinbrook) as designated by the City's Master Plan. Currently, the site is occupied by six, 1-story office buildings. On the northern property boundary, the site abuts a City owned wooded strip of land. This strip of land immediately abuts Halpine Road and is across the street from a single family residential neighborhood to the north, which also continues to the west on the opposite side of Ardennes. To the east and south of the site are office buildings and a restaurant. West of the site on the opposite side of Ardennes Avenue are a church and apartments that are part of the Twinbrook Station mixed-use development. The site is less than a quarter mile from the Twinbrook Metro Station. Vehicular access to the site is from Ardennes Avenue and Twinbrook Parkway.

Location: 12720 Twinbrook Parkway

Applicant: Avalon Bay Communities, Inc.

Alexandria Virginia

Land Use

Designation: Mixed-Use Industrial

Zoning District: MXB (Mixed-Use Business)

Existing Use: Office Use

Proposed Use: Residential Multi-unit

Site Area: 4.00 Acres

Dwelling Units: 238 apartment units

Building Height: 55 Feet

Vicinity

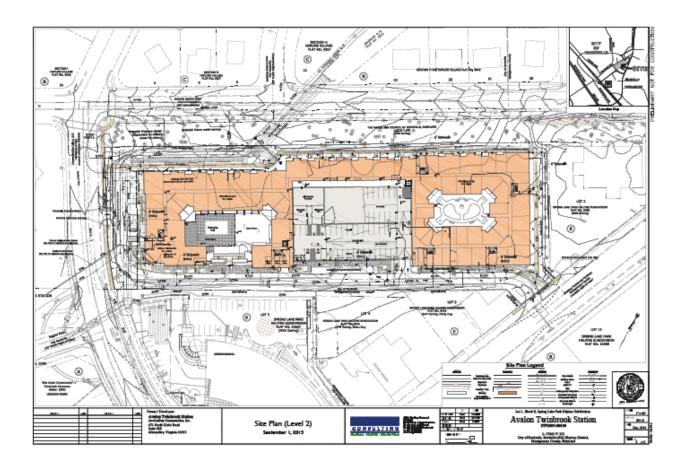
Surrounding Land Use and Zoning							
Location Zoning		Planned Land Use Existing Use					
North	MXB Mixed-Use Business	Mixed-Use Industrial	City owned wooded property abutting Halpine Road				
East	MXB Mixed Use Business	Mixed-Use Industrial	Day Care Pre- School/Office Use				
South	MXE Mixed-Use Employment	Service Industrial	Office Use, and restaurant use				
West	R-60 Single Unit Detached Dwelling Residential		Ardennes Avenue/Church and Apartment Residential Uses				

PROJECT DESCRIPTION

The proposed project consists of a 55 foot tall, 4-story apartment building with brick veneer, siding and cement board materials utilized as the primary façade treatment. The building will contain 238 apartment units and a 351 space parking garage on one parcel totaling approximately 4-acres in size (Attachment 4-1). Additional amenities proposed on the site would include a swimming pool, fitness center and clubroom.

The applicant proposes 24 studio units, 115 1-bedroom units and 99 2-bedroom units. Thirty Moderately Priced Dwelling Units (MPDU's) will be evenly distributed throughout the development.

Access to the proposed development will be provided from both Twinbrook Parkway and Ardennes Avenue, with the Ardennes Avenue frontage acting as the front of the building. Pedestrian access will be provided around the perimeter of the building and will connect to the existing public sidewalk system on both the Ardennes Avenue and Twinbrook Parkway frontages. The site is located less than one-quarter of a mile from the Twinbrook Metro Station.



PROJECT ANALYSIS

Building

The proposed building will be centered on the property and maintain setbacks of between approximately 16 and 60 feet from the property line. Although a maneuvering lane and curb cut are proposed at the front of the site, the building will still maintain a strong presence along the Ardennes Avenue frontage and generally align with the building front on the property to the south. The height of the proposed building to the roof is 55 feet. The City-owned property to the north of the development is currently treed and will provide additional screening between Halpine Road and the single family residential neighborhood to the north. As an additional measure to mitigate the impacts of the proposed structure, the applicant has agreed to supplement the existing trees on the City owned property with 30 evergreen trees. Architecturally, the building utilizes a mixture of façade materials including brick, cement board siding and vinyl siding. The applicant does an adequate job of utilizing depth and height variations in the design of the structure to ensure the site maintains an appealing visual aesthetic (Attachment 6-1).

Parking

To accommodate the parking needs of the site, the applicant has integrated a 351 space parking garage into the overall design of the building. The parking garage and its entrance/exit have been designed to concentrate activity and vehicular traffic on the southern end of the site to further reduce the impacts on the residential neighborhood to the north of this property. Ten visitor surface parking spaces have also been provided at the front of the site to meet short term parking needs. All parking, including for bicycles, has been provided consistent with the requirements of the Zoning Ordinance.

Master Plan

The site is located within the Twinbrook Planning Area of the Master Plan (Planning Area #8) at the southernmost boundary abutting Montgomery County. As such, one of the primary objectives of this plan is to maintain and protect the R-60 zoned neighborhood that is central to the character of the area. Providing buffers and ensuring aesthetics are taken into consideration for new development should be of importance when reviewing new development in this planning area. Due to the location of the Twinbrook Metro Station, limiting cut through traffic has also been identified as a concern. The plan emphasizes that cut through traffic should be discouraged to limit impacts on the single family residential neighborhood.

In addition, recommendations for this property are identified within the adopted 2009 Twinbrook Neighborhood Plan. Specific recommendations for the site are as follows:

- Recommend the site for all multi-family residential use that will create a horizontal mix of uses in the Twinbrook Parkway/Ardennes Avenue/Halpine Road area;
- Recommend the City-owned buffer located between the site and Halpine Road be improved by the owner of 12720 Twinbrook Parkway in accordance with the City of Rockville specifications. The owner should work with the City to maintain the buffer in future years;
 - Confirm the MXB zone, a transitional zone created for use in areas between Metro areas and residential areas;
 - No auto-related uses should be allowed on this site.

Land Use Map

The Plan's land use map designation for this property is Mixed-Use Industrial (Attachment 2-1). The Twinbrook Neighborhood Plan identified this property as suitable for the newly created Mixed-Use Business (MXB) zone in 2009, which required a rezoning from its former Light Industrial designation.

Master Plan Compliance

With regard to the City's Master Plan, staff finds that the proposed project is in keeping with the intent of the Plan and in particular, the Twinbrook Neighborhood Plan. One of the primary issues in the plan is ensuring that cut through traffic and visual impacts are minimized. The subject site directly abuts City owned property on Halpine Road. This "buffer strip" of land provides screening and prohibits direct access onto Halpine from the applicant's property. The site has been designed to concentrate on-site traffic towards the southern end of the property abutting the commercial land uses. Access will continue to be maintained on Ardennes and Twinbrook Parkway, thus limiting traffic on Halpine.

In addition, staff has worked with the developer to ensure that supplemental evergreen plantings will be provided on the City-owned property along Halpine to further screen the site from the R-60 zoned neighborhood to the north, consistent with the recommendation of the Twinbrook Neighborhood Plan. Pedestrian connections have been provided to ensure access to the metro station is adequate and aesthetics have been considered through the use of high quality façade materials and design.

From a use perspective, the use of the property a multiple family was specifically anticipated and planned for within the Twinbrook Neighborhood Plan. When reviewing the subject site, the Commission should consider its setting near a metro station between a low-density single family residential neighborhood and higher intensity commercial/residential uses. The proposed development can be viewed as a transitional use between the higher intensity commercial uses on Twinbrook Parkway and the lower intensity residential uses in the neighborhood to the north. The proposal strengthens the existing landscape buffer along Halpine Road and concentrates on-site vehicular activity away from Halpine on the south of the property, which will provide additional protection to the neighborhood in the future, as was intended by both the Master Plan and the Twinbrook Neighborhood Plan.

<u>Infrastructure/ Adequate Public Facilities Standards (APFS)</u>

Schools

The Mayor and Council recently adopted amendments to the school standards of the APFO. The standard now matches the requirements of the County and increases maximum permitted capacity levels to 120%. In addition, total enrollment for the school type (e.g. elementary, middle, high school) is considered now, rather than for an individual school, and the test occurs in year five, not years one and two.

The subject property is located within the Richard Montgomery cluster, and is served by Twinbrook Elementary School, Julius West Middle School and Richard Montgomery High School. Analysis of the students generated by the proposed development demonstrates that the proposal meets the requirements of the Ordinance.

School Type	Projected	Students	100% MCPS	Enrollment	Cluster	Cluster
(Richard	August	Generated by	Program	Including	Percent	Percent
Montgomery	2020	Proposed	Capacity	Proposed	Utilization	Utilization in
Cluster)	Enrollment	Development	with County	Development	in 2020	2020 with
			Council			Proposed
			Adopted			Development
			Amended			
			FY15-20 CIP			
Elementary School	2,479	18	2,237	2,497	110.8%	111.6%
Middle School	1,351	7	1,445	1,358	93.5%	94.0%
High School	2,724	11	2,884	2,735	94.5%	94.8%

Transportation, Access and Parking

Access to the site will be provided from the existing access points on Ardennes and Twinbrook Parkway. The Ardennes access point will be shifted to the north slightly to improve safety and promote more efficient operation along the roadway. The Twinbrook Parkway access will allow for right-out egress only. On-site two-way traffic is permitted until one reaches a point east of the parking garage, where the maneuvering lane converts to one-way traffic. Off-site, the intersection of Ardennes and Twinbrook Parkway is signalized.

Due to the site's previous use as an office facility, the change in traffic will be negligible as a result of this development. The applicant's traffic analysis (Attachment 7-1) demonstrates that the apartment building will generate 21 new peak hour trips beyond the traffic normally experienced when the site functioned as an office use.

Parking

Residents and visitors will park in the 351-space parking garage located on the south side of the proposed building. An additional ten surface short-term spaces are provided at the front of the site.

Bicycle/Pedestrian Access

Six foot wide sidewalks will be provided around the perimeter of the proposed building. Connections will be provided to the sidewalks located on Ardennes and Twinbrook Parkway. The applicant has provided eighty long-term bicycle storage spaces and an exterior bicycle storage racks located at the southwest corner of the building.

Transit

The site is located within walking distance of the Twinbrook Metro Station. Multiple bus routes are available in the immediate vicinity providing service to Montgomery Mall Transit Center, Rockville Metro Station, and Rockville Regional Transit Center.

Water and Sewer

The application has received conceptual Water and Sewer Authorization approval from the Department of Public Works (DPW) for connection to the City's water and sanitary sewer systems (Attachment 8-1). The Water and Sewer Authorization letter lists project specific conditions of approval.

Fire and Emergency Service

The APFS requires a standard response time of no more than 10 minutes from at least two Fire and Rescue Service station for all proposed development. The subject site is located less than a mile east of Fire Station #23, which is located at 121 Rollins Avenue. Station 3 at 380 Hungerford Drive is within 3 miles of the subject site. Both stations are within the 10-minute response time.

Historic Resources

The existing buildings located on the site were determined to have no historical significance through the NRI/FSD review process.

Environment

Forest Conservation

A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) plan was approved for the project on September 9, 2014. The NRI/FSD for the site shows the existing buildings, parking lot and existing utilities/easements as well as almost three dozen significant trees and numerous significant trees on the adjacent City owned parcel. Since

approval of the NRI/FSD several hazardous trees have been removed from both the subject property and within the forest on the City parcel.

A Preliminary Forest Conservation Plan (Pre FCP) was approved on September 28, 2015 (Attachment 11-1). The Pre FCP approval letter outlines the specific FTPO requirements, including tree impacts and planting on the adjacent City parcel as well as permitting requirements.

The subject property does not contain any forest and is therefore, required to provide afforestation planting in the amount of 15% of the 4.01-acre tract which equates to 0.60 acres or 26,202 s.f. The project proposes to meet this requirement through the planting of two new street trees within the Ardennes Avenue right-of-way and 30 shade, 34 ornamental and 18 evergreen trees within the site. A recorded tree conservation easement and declaration of covenants is required for the long term protection of these trees.

The minimum tree cover requirement is 15% or 0.60 acres of the tract area and must be met on site. Both afforestation and significant replacement trees can be used to satisfy this requirement. The project will exceed the requirement through the planting of over 120 trees.

The site contains 26 significant trees. Significant trees are defined as trees 12 inches and greater DBH outside of forest and trees 24 inches and greater DBH located within forest. Replacement is based on the size of the tree and ranges from one tree to six trees. The Pre FCP shows all significant trees being removed for a replacement requirement of 33 trees. The project will replant all replacement trees on site utilizing a combination of shade and ornamental trees.

At the time of Final FCP submission, a Registered Consulting Arborist (RCA) hired by the applicant will recommend specific mitigation measures for offsite City trees being impacted by the project construction. The City Forester's office will work with the RCA to determine the appropriate measures to be shown on the Final FCP. If supplemental tree planting on the City parcel is required by the Planning Commission, the final locations and types of trees should be coordinated through the City Forester's office.

Stormwater Management

Under the proposal, Stormwater Management (SWM) for this project will be provided in compliance with priority methods as established by code and as approved by the Combined Pre-Application and Development SWM Concept approval letter (Attachment 9-1). On-site SWM is being provided by a combination of Environmental Site Design measures (ESD) including seven (5) planter box micro-bioretention facilities, pavement suspended micro-bioretention facilities, green roof, permeable pavers and an alternative measure, specifically monetary contribution, in lieu of providing on-site quantity management. The applicant has continued to work with Department of Public Works staff in finalizing the design and operation of the proposed stormwater management facilities.

Sediment Control

Erosion and Sediment Control for this project will be provided in compliance with the Preliminary Erosion and Sediment Control Approval Letter (Attachment 10-1).

Moderately Priced Dwelling Units (MPDU)

The proposed development complies with the requirements of the City's MPDU program by providing the number of MPDU's equal to 12.5% of the total number of units. Based on a total of 238 units proposed, the applicant will provide 30 moderately priced dwelling units.

Zoning Ordinance Compliance

The site is zoned MXB (Mixed-Use Business). Staff has reviewed the proposed development for compliance with the Zoning Ordinance and finds it to be consistent with those requirements.

MXB (Mixed-Use Business)								
	Maximum Height	Building Setbacks					Public Use Space	Total Open Area
		Front Side Rear						
			Residential Land Abutting	Non- Residential Land Abutting	Residential Land Abutting	Non- Residential Land Abutting		
Required	55 Feet	Not Required	55 Feet	0 Feet	55 Feet	0 Feet	5%	10%
Proposed	55 Feet 19 ^o Layback Slope	63.4 Feet	N/A	41.25 Feet	N/A	21.3 Feet	11%	34%

Parking Compliance

	Vehicular Parking Required	Bicycle	Parking	
		Short Term	Long Term	
Studio Efficiency Units	24 Spaces			
1-Bedroom	173			
2-Bedroom	149			
Leasing Office	6			
Total Required	352	6	81	
Total Parking Provided	Total Parking Provided 361 Spaces (351 Garage Spaces & 10 Surface Spaces)		81 spaces	

MXB Design Guidelines Compliance

Staff has reviewed the proposed project for compliance with the mixed-use design guidelines of the Zoning Ordinance and has determined the proposal meets those standards (See Attachment 12-1).

COMMUNITY OUTREACH

Pursuant to Section 25.07.05 of the Zoning Ordinance, a Level 2 site plan requires that the applicant reach out to the neighborhood and conduct public area meetings. The Level 2 site plan process requires two area meetings: a pre-application area meeting held during the pre-application process; and, a post application area meeting held following submittal of the site plan application. The project applicant has complied with both of these requirements. Their pre-application area meeting was held on May 27, 2009 with twelve citizens attending. The post application area meeting was held on July 29, 2009 with ten citizens attending. Due to the length of time since the last public meeting, the applicant sent out notification of application processing to the neighborhood on December 23, 2014, as well as the required notice for the Planning Commission meeting.

FINDINGS

In accordance with Section 25.07.01.3.a. of the Zoning Ordinance, a site plan that does not implement a project plan or a special exception, may be approved only if the applicable approving authority finds that this application will not:

i) Adversely affect the health or safety of persons residing or working in the neighborhood of the proposed development;

There is nothing that would suggest the proposed development will adversely impact the health or safety of persons residing or working in the neighborhood. The applicant has complied with the strict standards of all applicable ordinances and staff has not identified any further health, safety or welfare issues associated with the proposal. Traffic increases are minimal and measures have been taken through additional landscape screening to mitigate the potential visual impacts of the proposed use.

ii) Be detrimental to the public welfare or injurious to property or improvements in the neighborhood

As stated above, the proposal complies with the strict standards of all applicable ordinances and staff has not identified any further health, safety or welfare issues associated with the proposed development. The applicant has proposed reasonable means to mitigate visual impacts of the proposed building, and traffic increases are minimal.

iii) Overburden existing and programmed public facilities as set forth in Article 20 of this Chapter and as provided in the adopted Adequate Public Facilities Standards;

The proposal is compliant with all requirements of the Adequate Public Facilities Ordinance (See Pages 7 and 8 of this report).

iv) Adversely affect the natural resources or environment of the City or surrounding areas;

The application proposes 34% open space on site, where only 10% is required. A Preliminary Forest Conservation Plan (Pre FCP) was approved on September 28, 2015 (See Pages 8 and 9). Further, the applicant has agreed to provide supplemental landscaping on the adjacent City owned property on Halpine.

v) Be in conflict with the Plan;

The proposal is consistent with the Plan in that it ensures adequate buffers remain between the Twinbrook neighborhood to the north while providing a reasonable transition towards the higher intensity uses to the south. Minimizing the impact of development on the single family residential neighborhood to the north is a primary goal of the area plan for Twinbrook. The applicant has provided additional landscaping measures to better screen the development from the neighborhood, conducted demonstrated that traffic increases as a result of this development will be negligible and designed the vehicular movements on site to concentrate on the southern side of the property away from the neighborhood. In addition, the proposal is consistent with the recommendations for this site outlined within the Twinbrook Neighborhood Plan as far as use and design are concerned by proposing a multi-unit building.

vi) Constitute a violation of any provision of this chapter or other applicable law;

The proposal is compliant with the strict standards of the Zoning Ordinance and all other applicable ordinances and laws.

vii) Be incompatible with the surrounding uses or properties;

The proposal respects the lower density residential neighborhood to the north through appropriate landscaping and buffers, building design and driveway/ingress/egress placement. Furthermore, the proposal provides an appropriate development density complement to the higher density development situated around the metro station. As a residential use it acts as a transitional property providing a logical and appropriate land use transition between those lower intensity uses to the north and the higher density uses to the west and south.

STAFF RECOMMENDATION

In summary, staff concludes that the proposal is compliant with all applicable codes and regulations. We recommend approval of site plan application STP2009-00008 based on the above findings and subject to the following conditions:

Planning

- 1. Submission, for approval of the Chief of Zoning, of twelve (12) copies of the site plan (on sheets no larger than 24 inches by 36 inches).
- 2. Submission, for approval of the Chief of Zoning, of twelve (12) copies of the architectural plans (on sheets no larger than 24 inches by 36 inches).
- 3. Submission, for the approval of the Chief of Zoning, of twelve (12) copies of a coordinated detailed landscaping plan (on sheets no larger than 24 inches by 36 inches).
- 4. The applicant will provide thirty (30), 6-7 feet high American Holly trees (*Ilex opaca*). These trees will be planted on the City owned parcel with the locations to be determined by the City of Rockville Forestry Inspector and planted within 9 months of issuance of the Forestry permit.
- 5. The applicant shall pay the County's Development Impact Tax, as applicable, subject to the credits allowed by Montgomery County. The applicant shall submit a receipt of payment to the Inspection Services Division of the Department of Community Planning and Development Services and the Traffic and Transportation Division of the Department of Public Works prior to the issuance of occupancy.
- 6. The applicant shall comply with the City's Publicly Accessible Art in Private Development Ordinance. Applicant must provide a concept plan for approval prior to issuance of an occupancy permit for the building.

- 7. The applicant shall comply with Montgomery County's Solid Waste and Recycling requirements.
- 8. Permits for all signs must be obtained from the Planning Division.
- 9. All new transformers shall be placed underground, unless a waiver from the Planning Commission is granted.
- 10. The building shall meet all applicable handicap-accessibility requirements of the State of Maryland and the Americans with Disabilities Act of the Federal Government, as well as all construction code requirements of the City of Rockville.
- 11. The applicant shall sign and return the approval letter prior to the release of any permits.
- 12. A minimum of 12.5% of dwelling units, or thirty units shall be designated as Moderately Priced Dwelling Units (MPDUs). The units shall be distributed throughout the project in all sections and levels of the project, so as not to concentrate MPDUs in any section of the building. The units designated as MPDU shall reflect the same ratio of unit bedroom size as the market rate units. Prior to submission of any building permits, an MPDU agreement must be executed with the City of Rockville for the project.

Public Works

- 13. Comply with conditions of Water and Sewer Authorization letter dated October 5, 2015, as may be amended.
- 14. Comply with conditions of Combined Pre-Application and Development SWM Concept Approval Letter dated September 29, 2015, as may be amended.
- 15. Comply with conditions of Preliminary Erosion and Sediment Control Letter dated September 29, 2015
- 16. Submission, for review, approval, and permit issuance by the DPW, of the following detailed engineering plans, studies and computations, appropriate checklists, plan review and permit applications and associated fees. The following plans should be submitted on 24"x36" sheets at a minimum scale of 1"=30' unless otherwise approved by DPW. The Public Works Plan must be submitted on City base sheet, all others may utilize non-City base sheet:
 - a. Stormwater Management (SWM) for on-site stormwater management;
 - b. Sediment Control Plans (SCP) for all disturbed areas;
 - c. Public Improvement (PWK) including all work proposed within the public rights-of-way of Ardennes Avenue, Halpine Road and any existing or required storm drain, water and/or sewer easements. Submission must include Maintenance of Traffic, Striping and Signing, and Street Tree and Lighting Plan.
- 17. Submit a phasing plan for the construction period. The plan shall include, but not limited to, the construction access, pedestrian access, truck routing, staging and construction parking. A pedestrian access plan for the construction period shall include, but not be limited to, the methods of maintaining pedestrian safety and access on the existing sidewalks, temporary

- closing of sidewalks for work in the streetscape zone, and pedestrian detours, as well as efforts to minimize closure of sidewalks. The plan shall address how parking needs related to the construction activity will be accommodated. This plan shall be approved prior to issuance of the DPW permit.
- 18. Submission, for review and approval by the City Attorney's office prior to DPW permit issuance, all necessary deeds, easements, dedications, and declarations. Drafts of the required documents, with the exception of SWM easements and agreements which can be included at second submission, must be included with the initial submission of the PWK package and must be recorded prior to issuance of DPW permits, unless otherwise allowed by DPW.
- 19. Post sureties for all permits based on the approved construction estimate in a format acceptable to the City Attorney. Approval is coordinated through DPW staff.

Traffic and Transportation

20. All internal traffic control devices (i.e. signs, marking and devices placed on, over or adjacent to a roadway or walkway) to regulate, warn or guide pedestrians and/or vehicular traffic shall comply with the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD). The signing and pavement marking plans shall be submitted to DPW and approved by the Chief, Traffic and Transportation Division. (The approved plan shall be included in the signature set.)

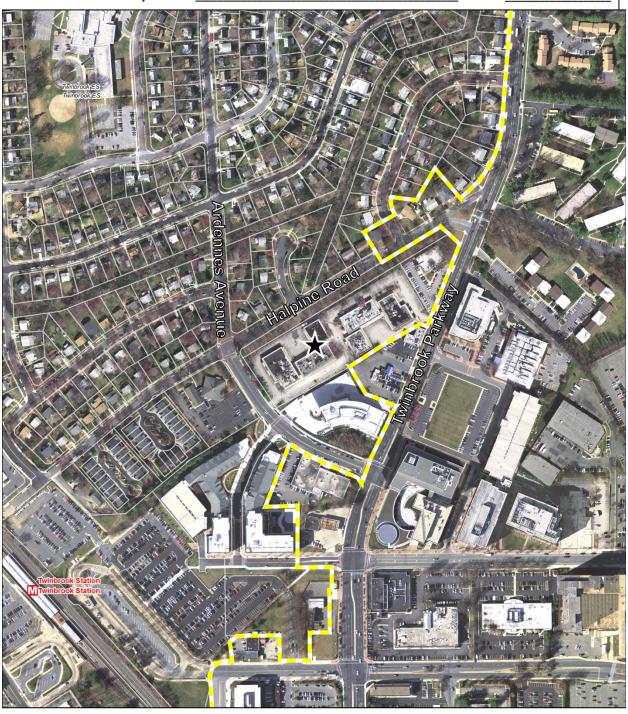
Forestry

- 21. In accordance with the requirements of the Forest and Tree Preservation Ordinance, the applicant shall obtain a Forestry Permit (FTP) prior to release of the Building and Sediment Control permits. Conditions for issuance of the Forestry permit are:
 - a. Obtain approval of a Final Forest Conservation Plan (FCP) which is consistent with the Preliminary FCP approved on September 28, 2015.
 - b. The applicant must execute and record among the Land Records a Forest and Tree Conservation Easement and Declaration of Covenants in a form suitable to the City. The applicant must also provide the easement data in an electronic format suitable to the City.
 - c. The applicant must execute a five-year Warranty and Maintenance Agreement in a form suitable to the City.
 - d. The applicant must post a bond or letter of credit in an amount and form suitable to the City.



Case Number: STP2009-00008 Address: 12720 Twinbrook Parkway

Project Name: Avalon Bay-Twinbrook Date: October 2, 2015



0 100 200 400

★ Project Location



Attachment 2: Planned Land Use Map

